

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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RAFAEL MERCADO,

Petitioner,

v.

CAROL HOLINKA,  
Warden, FCI-Oxford,

Respondent.

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ORDER

08-cv-671-slc

In an order dated July 22, 2009, I gave plaintiff Rafael Mercado until August 12, 2009, in which to pay \$20.43 as an initial partial payment of the \$455 fee for filing his appeal. I told plaintiff that if, by August 12, 2009, he failed to pay the initial partial payment or explain his failure to do so, I would advise the court of appeals of his noncompliance in paying the assessment so that it could take whatever steps it deemed appropriate with respect to his appeal. Plaintiff has neither paid the initial partial payment nor explained his failure to do so. Accordingly, I am notifying the Court of Appeals for the Seventh Circuit of plaintiff's failure to pay the initial partial payment so that it may take whatever action is appropriate with respect to plaintiff's appeal. Whether or not the court of appeals allows plaintiff's appeal to go forward, plaintiff owes the \$455 fee for filing his appeal. Therefore, I am requesting that the clerk of

court insure that the court's financial records reflect plaintiff's financial obligation to pay the fee.

Entered this 26<sup>th</sup> day of August, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge